

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ASSOCIATION OF NEW JERSEY
RIFLE & PISTOL CLUBS, INC., *et*
al.,

Plaintiffs,

V.

PHILIP D. MURPHY, in his official
capacity as Governor of New Jersey, *et
al.*,

Defendants.

HON. SUSAN D. WIGENTON,
U.S.D.J.

HON. LEDA D. WETTRE,
U.S.M.J.

CIVIL ACTION NO. 20-cv-3269

CIVIL ACTION

(ELECTRONICALLY FILED)

**DECLARATION OF JEFFREY KAYDEN IN SUPPORT OF
PLAINTIFFS' MOTION FOR A TEMPORARY RESTRAINING
ORDER AND/OR PRELIMINARY INJUNCTION**

1. I, Jeffrey Kayden, am a plaintiff in the above-titled action. I am over the age of 18, have personal knowledge of the facts and events referred to in this Declaration, and am competent to testify to the matters stated below.

2. I am a resident and citizen of the United States and the State of New Jersey.

3. I am a law-abiding citizen. I have never been charged with or found guilty of any crime.

4. I am married with three daughters, and I own a small business in New Jersey which manufactures swimming pool liners.

5. I am a member of Plaintiff Association of New Jersey Rifle & Pistol Clubs, Inc.

6. I have never before owned any guns, but I recently decided that it is important for me to buy a handgun and a shotgun for protection of myself and my family. As required by law, I applied to the Kinnelon Police Department for a New Jersey Firearm Purchaser Identification Card ("FID") and a Permit to Purchase a Handgun ("Permit to Purchase"). I understand that the FID Card is required for me to lawfully purchase a shotgun in New Jersey and that a Permit to Purchase is required for me to lawfully purchase a handgun in New Jersey.

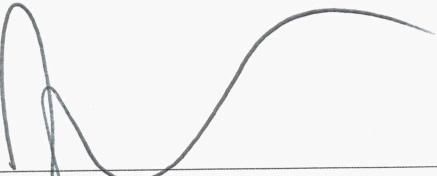
7. The process took approximately five weeks, and just the other day, on March 23, 2020, I was informed by the Kinnelon Police Department that my permits were approved and were ready to be picked up. I picked up my permits the next day, March 24, 2020, but I then learned that Executive Order 107 forced all of the gun stores in New Jersey to close indefinitely and that I therefore could not buy a gun.

8. I also understand that the New Jersey State Police have shut down New Jersey's access to the federal National Instant Criminal Background Check System ("NICS"), so even if the stores were allowed to open, I could not obtain the instant background check required under state and federal law from the State Police to complete my purchase.

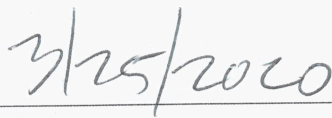
9. But for the actions by the Governor and the State Police, I would acquire a handgun and a shotgun, and ammunition for both, forthwith, including by traveling to my co-Plaintiff Bob's Little Sport Shop to make the purchases if that is the nearest open gun store.

10. In light of the current emergency situation, I think it is especially important that I be in a position to protect my family with a firearm if necessary, but I cannot do so because of the actions taken by the Governor and the State Police. I fear that the actions of the Governor and the State Police have put the safety of me and my family at risk.

I declare under penalty of perjury that the foregoing is true and correct. Executed within the United States.



Jeffrey Kayden



Date